

Serial No.: 10/065,281
Attorney Docket No.: F-521

Patent

REMARKS**RECEIVED
CENTRAL FAX CENTER****APR 02 2007****1. Status of Claims**

Claims 1-20 were pending in the Application. Applicants have amended claims 1, 2, 6, 11, 17 and 19 without prejudice or disclaimer. Applicants respectfully request entry of the above amendments and consideration of the enclosed remarks. Applicants submit that no new matter is added. Accordingly, claims 1-20 will remain pending in the application.

2. Rejections Under 35 USC § 112

In section 5 of the Office Action, the Examiner rejected claims 11-15, 17 and 19 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicants respectfully traverse the rejection, but have amended claims 11, 17 and 19 without prejudice or disclaimer to expedite prosecution and respectfully submit that the amended claims comply with 35 U.S.C. § 112. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection.

3. Rejections under 35 USC § 103 (a)

In section 10 of the Office Action, the Examiner rejected Claims 1-7 and 11-13 under 35 U.S.C. 103(a) as allegedly rendered obvious by U.S. Patent Application Publication No. 2003/0214681 by Bohan ("Bohan '681") in view of U.S. Patent No. 6,504,956 to Gannage, et al. ("Gannage '956") and further in view of U.S. Patent No. 6,307,956 to Black ("Black '956").

Applicants respectfully traverse the rejection. Applicants initially respectfully traverse the purported motivation to combine the references as stated. Bohan '681 does not teach or suggest a digital pointing instrument to compose a facsimile and as a main feature presents a copy of the composed facsimile for review on a computer screen display that could not be accomplished with a pen and paper interface.

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Additionally, none of the references teach or fairly suggest composing a facsimile using pen stroke to identify an attachment that is then appended to the facsimile message. Furthermore, none of the references teach or fairly suggest using pen strokes to determine authority to access an attachment that is then appended to the facsimile message.

Applicants respectfully disagree with the inherency statements regarding Gannage '956. Applicants are unsure if the Examiner is stating that it is inherent that the strokes be used to determine a recipient in Gannage '956. Applicants would disagree with such a characterization and respectfully request clarification of the rejection. Furthermore, it is not clear to Applicants where Gannage '956 teaches or suggests processing strokes to determine at least one attachment as apparently stated on page 7 of the Office Action.

Regarding Claim 7, Applicants respectfully disagree that Gannage '956 teaches or suggests the send facsimile command functionality as stated by the Examiner at page 10 of the Office Action.

However, solely in order to expedite prosecution, Applicants have amended claims 1, 2, 6 and 11 without prejudice or disclaimer and the rejection is moot.

With regard to claims 1 and 11, the cited references do not fairly teach or suggest at least:

processing the strokes in order to determine at least one attachment requested for the facsimile message; ...

composing the facsimile message using the cover page template, the facsimile message data and the at least one attachment ...

Applicants respectfully submit that the rejected dependent claims are patentable over the cited references for at least the reasons discussed above.

Accordingly, Applicants respectfully request that the Examiner withdraw the rejection to claims 1-7 and 11-13.

In section 11 of the Office Action, the Examiner rejected Claim 8 under 35 U.S.C. 103(a) as allegedly rendered obvious by U.S. Patent Application Publication No.

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2003/0214681 by Bohan ("Bohan '681") in view of U.S. Patent No. 6,504,956 to Gannage, et al. ("Gannage '956") and further in view of U.S. Patent No. 6,307,956 to Black ("Black '956") and in further view of U.S. Patent Application Publication No. 2002/0107885 by Brooks, et al. ("Brooks '885").

Applicants respectfully traverse the rejection. Applicants initially respectfully traverse the purported motivation to combine the references as stated above.

However, solely in order to expedite prosecution, Applicants have amended claim 1 without prejudice or disclaimer and the rejection is moot. Claim 8 is patentable over the cited references for at least the reasons stated above.

Accordingly, Applicants respectfully request that the Examiner withdraw the rejection to claim 8.

In section 12 of the Office Action, the Examiner rejected Claims 9, 10, 14, 15 and 17-19 under 35 U.S.C. 103(a) as allegedly rendered obvious by U.S. Patent Application Publication No. 2003/0214681 by Bohan ("Bohan '681") in view of U.S. Patent No. 6,504,956 to Gannage, et al. ("Gannage '956") and further in view of U.S. Patent No. 6,307,956 to Black ("Black '956") and in further view of U.S. Patent No. 6,917,724 to Seder, et al. ("Seder '724").

Applicants respectfully traverse the rejection. Applicants initially respectfully traverse the purported motivation to combine the references as stated above. Applicants respectfully disagree with the statements regarding the purported teaching of Gannage as stated above. Furthermore, Seder '724 is not properly combined - there is no motivation to combine it with Bohan '681 that used a common GUI file user interface to navigate to an attachment.

Applicants respectfully submit that Seder '724 certainly does not teach using pen stroke data to determine access to an attachment nor to use the identity of a user to unambiguously identify an attachment.

Applicants respectfully submit that the rejected claims are also patentable over the cited references for the reasons stated above with reference to the respective related independent and intervening claims.

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Accordingly, Applicants respectfully request that the Examiner withdraw the rejection to claims 9, 10, 14, 15 and 17-19.

In section 13 of the Office Action, the Examiner rejected Claims 16 and 20 under 35 U.S.C. 103(a) as allegedly rendered obvious by U.S. Patent No. 6,504,956 to Gannage, et al. ("Gannage '956") in view of U.S. Patent No. 6,917,724 to Seder, et al. ("Seder '724").

Applicants respectfully traverse the rejection. Applicants initially respectfully traverse the purported motivation to combine the references as stated above. Applicants respectfully disagree with the statements regarding the purported teaching of Gannage as stated above.

Applicants respectfully submit that Seder '724 certainly does not teach using pen stroke data to determine access to an attachment.

Accordingly, Applicants respectfully request that the Examiner withdraw the rejection to claims 16 and 20.

Accordingly, Applicants respectfully request that the Examiner withdraw the rejection and submit that the invention as presently claimed in claims 1-20 is patentable and in condition for allowance.

4. Conclusion Of Remarks

For at least the reasons stated above, it is respectfully submitted that the claims of this application are in condition for allowance and early and favorable action thereon is requested.

If the Examiner believes that additional issues may be resolved by a telephone interview, the Examiner is respectfully urged to telephone the undersigned attorney for Applicant at (203) 924-3180.

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5. Authorization

No fee is believed due with this Amendment. However, the Commissioner is hereby authorized to charge any additional fees which may be required for the response or credit any overpayment to the Pitney Bowes, Inc. Deposit Account Number 16-1885, Order No. F-521.

In the event that an extension of time or additional extension of time is required to make this response timely filed, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely. The Commissioner is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the Pitney Bowes, Inc. Deposit Account Number 16-1885, Order No. F-521.

Respectfully submitted,


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